

# Privateers and the War of 1812

by Ernest Wasson

**Suggested grade level:** Junior/Intermediate

**Suggested time:** Two classes of 50 minutes

## Brief Description of the Task

In this lesson students will explore the morality of privateering in the War of 1812 as well as the differences between pirates and privateers.

## Historical Thinking Concepts

- Ethical Dimension

## Learning Goals

Students will be able to:

1. Differentiate between pirates and privateers
2. Explore the ethical dimension of privateering
3. Interact critically with the past by using primary documents

## Materials

Photocopies of the Appendices.

## Prior Knowledge

It would be an asset for students to:

- have familiarity with the criteria for exploring the Ethical Dimensions of history.

## Assessment

T-Charts from each group

Exit slips from each student

## Detailed Lesson Plan

### Part 1

1. As a whole class have students brainstorm what they know about pirates and privateers. Explain that this lesson will explore the differences between privateers and pirates but the focus will be on privateers during the War of 1812.

2. Have the class read or listen to Stan Roger's, Barrett's Privateers (**Appendix 1**). You may wish to explain that the song is a modern folk song, in the style of a sea shanty. As well, although many of the examples in the song are fictional, the song is full of many authentic details of privateering in the late 18<sup>th</sup> century. For additional information, teachers may wish to review Dan Conlin's historical deconstruction of the song at [www.chebucto.ns.ca/~jacktar/barretts.html](http://www.chebucto.ns.ca/~jacktar/barretts.html)).

### Part 2

1. Read as a class the two paragraphs of general information on privateering during the War of 1812 (**Appendix 2**).

2. Explain to the class that they will be considering whether it was ethical to use privateers during the War of 1812. Teachers may need to explore the term "ethical" with students, and then explain how historians view ethical dimensions in history. (See an explanation of the Ethical Dimension of History at The Historical Thinking Project website, [www.historicalthinking.ca](http://www.historicalthinking.ca))

Emphasize to students that when making ethical judgements in history that they must try not to judge actions of the past by today's standards.

3. Place students into groups of four. Each group will be subdivided into two pairs. One set of pairs will focus on the rightness and the other on the wrongness of privateering. Each partnership needs a copy of Privateers

## War of 1812, Historical Thinking Project Lessons (Wasson), Lesson 22

and the War 1812 (**Appendix 3**). They will then work their way through the reading taking notes from their assigned point of view (right/wrong).

4. When finished, each pair will share their notes and thoughts and each group will construct a T-Chart. Using the T-Chart each group will try to come to a consensus on the ethics of privateering during the war. In order to promote a critical interplay between present and historical norms, have students note whether they are making an argument using historical context (then) or present norms and values (now).

5. Wrap-up: was each group able to come to a consensus? The whole class? Discuss.

6. Have students write an Exit Slip that explains which piece of evidence/argument was the most powerful when they were trying to make their decision about the ethics of privateering in the War of 1812. Why?

## Lesson 22, Appendices

### Appendix 1: Barrett's Privateers by Stan Rogers

Oh, the year was 1778, HOW I WISH I WAS IN SHERBROOKE NOW!  
A letter of marque came from the king,  
To the scummiest vessel I'd ever seen,

God damn them all!  
I was told we'd cruise the seas for American gold  
We'd fire no guns-shed no tears  
Now I'm a broken man on a Halifax pier  
The last of Barrett's Privateers.

Oh, Elcid Barrett cried the town, HOW I WISH I WAS IN SHERBROOKE NOW!  
For twenty brave men all fishermen who  
would make for him the Antelope's crew

God damn them all!  
I was told we'd cruise the seas for American gold  
We'd fire no guns-shed no tears  
Now I'm a broken man on a Halifax pier  
The last of Barrett's Privateers.

The Antelope sloop was a sickening sight, HOW I WISH I WAS IN SHERBROOKE NOW!  
She'd a list to the port and her sails in rags  
And the cook in scuppers with the staggers and the jags

God damn them all!  
I was told we'd cruise the seas for American gold  
We'd fire no guns-shed no tears  
Now I'm a broken man on a Halifax pier  
The last of Barrett's Privateers.

On the King's birthday we put to sea, HOW I WISH I WAS IN SHERBROOKE NOW!  
We were 91 days to Montego Bay  
Pumping like madmen all the way

God damn them all!  
I was told we'd cruise the seas for American gold  
We'd fire no guns-shed no tears  
Now I'm a broken man on a Halifax pier  
The last of Barrett's Privateers.

## Lesson 22, Appendices

On the 96th day we sailed again, HOW I WISH I WAS IN SHERBROOKE NOW!  
When a bloody great Yankee hove in sight  
With our cracked four pounders we made to fight

God damn them all!  
I was told we'd cruise the seas for American gold  
We'd fire no guns-shed no tears  
Now I'm a broken man on a Halifax pier  
The last of Barrett's Privateers.

The Yankee lay low down with gold, HOW I WISH I WAS IN SHERBROOKE NOW!  
She was broad and fat and loose in the stays  
But to catch her took the Antelope two whole days

God damn them all!  
I was told we'd cruise the seas for American gold  
We'd fire no guns-shed no tears  
Now I'm a broken man on a Halifax pier  
The last of Barrett's Privateers.

Then at length we stood two cables away, HOW I WISH I WAS IN SHERBROOKE  
NOW!  
Our cracked four pounders made an awful din  
But with one fat ball the Yank stove us in

God damn them all!  
I was told we'd cruise the seas for American gold  
We'd fire no guns-shed no tears  
Now I'm a broken man on a Halifax pier  
The last of Barrett's Privateers.

The Antelope shook and pitched on her side, HOW I WISH I WAS IN SHERBROOKE  
NOW!  
Barrett was smashed like a bowl of eggs  
And the Maintruck carried off both me legs

God damn them all!  
I was told we'd cruise the seas for American gold  
We'd fire no guns-shed no tears  
Now I'm a broken man on a Halifax pier  
The last of Barrett's Privateers.

So here I lay in my 23rd year, HOW I WISH I WAS IN SHERBROOKE NOW!  
It's been 6 years since we sailed away

## Lesson 22, Appendices

And I just made Halifax yesterday

God damn them all!

I was told we'd cruise the seas for American gold

We'd fire no guns-shed no tears

Now I'm a broken man on a Halifax pier

The last of Barrett's Privateers.

(Stan Rogers, Album *Fogarty's Cove*, 1976)

## Appendix 2: Privateering

While armies struggled on land and navies fought for control of the Great Lakes, a great deal of action was happening on the high seas. British Royal Navy squadrons based out of Halifax and the West Indies maintained a blockade of American ports. From time to time, American naval frigates were able to slip out and in many cases defeated Royal Navy vessels in ship-to-ship action. On June 1, 1813 the British celebrated one of its few single ship victories over the American Navy when the *HMS Shannon* captured the *USS Chesapeake*. After the victory, the defeated *Chesapeake* was led into Halifax harbour by the victorious *Shannon*.

Much more active was the privateers' war. In what is now Atlantic Canada, merchants and fishermen from the Atlantic provinces and from the United States received "letters of marque" to legally enable them to prey on enemy merchant shipping. Many of these privateers made fortunes capturing enemy shipping and selling the ships and cargoes, pocketing the proceeds. Privateering did more damage to the economies of each belligerent than any action taken by official navies of either nation. Liverpool, Nova Scotia, became renowned as a base for privateers. However, these vessels, some mere fishing smacks armed with small cannon and determined crews, and others that rivalled navy ships in numbers of guns and sailors, sailed from all ports in the Atlantic Provinces.

(Source [www.1812.gc.ca](http://www.1812.gc.ca))

### Appendix 3: Privateers and the War 1812

The history of privateering dates back to the late medieval period where it had been "a feature of every naval war and colonial conflict <sup>1</sup> from the late medieval period until it was banned by international agreement in 1856-- at least by every developed nation except the United States..." (Kert, 2005, pg. 12). It began when kings lacked navies and thus the ability to wage war at sea. It was easy for the King to issue *Letters of Marque and Reprisal* <sup>2</sup> and make legal traders into privateers. These Letters of Marque "granted civilians the legal right to both wage war on the enemy and, in the process, to recover their own costs -- or commercial losses to enemy war vessels" (Kert, pg. 13).

Pirates were criminals who operated outside the rule of law while privateers operated under strict conditions. It was a very fine line that "separated pirates from privateers, but that line, often no thicker than the paper on which a letter of marque was written, entitled the privateer to wage war on the enemy of his state and to keep most of the proceeds from the vessels he captured, his "prizes." <sup>3</sup> A pirate doing the same thing without a licence would be hanged" (Kert, pg. 13).

The due process of privateering required a formal declaration of war, which was followed by a prize act that allowed the government to issue Letters of Marque to those who applied. These would have been issued by the Lieutenant Governor of Nova Scotia, John Coape Sherbrooke, <sup>4</sup> and George Stracey Smyth, the Lieutenant Governor of New Brunswick. To legally claim their prizes, privateers had to send the prizes into ports that had a Vice-Admiralty Court (Halifax) and the legality of the capture had to be proven before a judge. This required that the ship and cargo were in fact enemy property, that the capture had been legal, and the crew and cargo well-treated. Once the judge ruled that the prize was "good and lawful" the ship and/or her cargo could be

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<sup>1</sup> Proclamation issued by Governor John Wentworth encouraging locals to engage in privateering (1793) [www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=2](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=2)

<sup>2</sup> Letter of Marque, Liverpool Packet and Seal  
[www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=64](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=64)

<sup>3</sup> Liverpool Packet takes five American traders in early voyage  
[www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=61](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=61)

Notice of distribution of prize money to Captain, Officers and Crew of the armed brig Sir John Sherbrooke [www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=105](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=105)

<sup>4</sup> Proclamation by Lt. Governor Sherbrooke stating that Letters of Marque are available  
[www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=62](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=62)



## Lesson 22, Appendices

sold at auction <sup>5</sup> and the profit shared among the owners and investors, the officers, and the crew according to their pre-cruise agreement (Kert, pp.13-19). Once a prize was "condemned" the interested parties usually received their shares relatively quickly.<sup>6</sup>

The intent of privateering was to drain "the enemy's will to fight by emptying his wallet" by attacking seaborne trade which was so vital to commercial nations (Kert, pg. 13). However, some people considered it no more than "legalized piracy" while North America's maritime communities "welcomed privateering as a respectable, legitimate, effective and often profitable way of waging war" (Kert, pg. 20). In fact there was often competition from Royal Navy vessels for captures <sup>7</sup> as they too were entitled to prize money <sup>8</sup> and naval officers depended on prizes to augment their salaries. <sup>9</sup>

The risks of privateering were many, including storms, combat, having your prize sunk or recaptured, or having it negated by the Vice-Admiralty Court. However, in "spite of-- or maybe because of-- the danger, privateering attracted young, adventurous men who were keen to fight for king and country -- if the price was right" (Kert, pp. 13-14). Merchants found their commerce so degraded by war that they tried privateering as a way of maintaining their cash flow.

Indeed, despite the risks, the upfront costs of equipping and arming a privateer, and the court and other costs, fortunes could be made. The New Brunswick Privateer *Dart* is said to have earned each member of her crew \$500 for her first cruise, considering that the average sailor only made \$15 to \$30 per month. The British Merchant ship *Quebec* captured by the American privateer *Saratoga* yielded \$300 000 in prize money. The privateer schooner the *Liverpool Packet* was arguably the greatest Canadian privateer ever, credited with fifty prizes and surely enriched her crew and owners greatly.

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<sup>5</sup> Diverse goods from prize vessels

[www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=68](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=68)

Prize goods offered for sale

[www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=85](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=85)

<sup>6</sup> Notice of distribution of prize money to Captain, Officers and Crew of the armed brig Sir John Sherbrooke [www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=105](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=105)

<sup>7</sup> Navy and privateers bring prizes to port

[www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=73](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=73)

<sup>8</sup> Prize money to be distributed (royal navy)

[www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=75](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=75)

<sup>9</sup> "Now or Never" — British Navy seeks recruits using the lure of prize money

[www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=93](http://www.gov.ns.ca/nsarm/virtual/privateers/archives.asp?ID=93)

## **Lesson 22, Appendices**

(Source: Kert, Faye. (2005). *Trimming Yankee Sails: Pirates and Privateers of New Brunswick*. New Brunswick: Goose Lane Editions.)